

REMARKS

Reconsideration of the claims is requested.

Claims 1-14, 19-24, 29, and 30 are pending and under consideration.

Claims 1-14, 19-24, 29-30 are rejected under 35 USC 103(a) as being unpatentable over Herrmann (U.S. Publication No. 2003/0055994) and Rowland (U.S. Publication No.2002/0129264).

The independent claims are 1, 5, 9, 13 and 29.

Herrmann paragraph [0081] discusses "A user that is non-compliant is redirected to this web server, which informs the user of the non-compliance and provides information about how to go about updating the anti-virus application."

Moreover, Herrmann paragraph [0051] discusses "The system also facilitates updating anti-virus engines and virus signatures (i.e., virus definitions or "DAT" files) when required in an efficient and time-sensitive manner."

Therefore, Herrmann merely discloses providing the user with information for facilitating updating the anti-virus application (engines).

The Office Action newly relies upon Rowland for discussing the claimed "sends a program to the user apparatus and causes the user apparatus to set the security of the user apparatus by executing the program when the security level of the user apparatus does not reach the predetermined security level." Rowland relied upon paragraph [0147] discusses "The scanner can spot local host vulnerabilities that aren't visible from the network that may allow for exploitation internally. The scanner can be updated from a central server location with optimized scanning data designed for the host-platform it is running on. This allows for faster operation. The scanner can search for known signs of intrusion that are often hidden from network scanners." Claim 1 emphasizes "the security setting is a setting as to whether to respond to a specified command." For example, the specification page 12, lines 9-20 provides support for an embodiment of the invention.

Accordingly, Herrmann and Rowland are silent about at least the feature of claim 1, namely, "the security management device sends a program to the user apparatus and causes the user apparatus to set the security setting of the user apparatus by executing the program when the security level of the user apparatus does not reach the predetermined security level, the security setting is a setting as to whether to respond to a specified command."

The rejection of claim 1 can be withdrawn.

Other independent claims 5, 9, 13 and 29 emphasize features similar to the discussed features of claim 1.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for the reasons discussed above in addition to the additional features recited therein.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
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